

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2259

In re: DENNIS SHIPMAN,

Petitioner.

On Petition for Writ of Mandamus. (13-10403)

Submitted: February 11, 2014 Decided: February 20, 2014

Before MOTZ, KING, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Dennis Shipman, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dennis Shipman petitions for a writ of mandamus seeking an order directing the district court to act in two emergency appeals filed in his bankruptcy case, which has since been dismissed. We conclude that Shipman is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. United States Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988).

The relief sought by Shipman is not available by way of mandamus. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition for writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED